



March 1, 2005

Mayor:  
DAN ALBERT

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CHUCK DELLA SALA  
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Phil Isenberg, Chair  
State MLPAI Blue Ribbon Task Force  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814  
*Attn: Melissa Miller-Henson*

Dear Chairman Isenberg:

Please accept the following comments regarding the preliminary Draft Master Plan Framework for the Marine Life Protection Act (MLPA).

1. Even though it is not specifically spelled out in the MLPA, the Master Plan Framework should make "public safety" an item of high priority for consideration regarding the site of any individual Marine Protected Area (MPA). This will relate directly to the proximity of MPAs to harbors and other launching facilities. Should fishing be restricted close to those facilities, it could drive small boats farther away from shore or from the harbors, exposing them to increased weather/sea conditions and danger.
2. The Socio-economic section of the Draft Master Plan needs to be strengthened. It should clearly spell out the methodology to be used, data sources, gaps in data sources, and provide information on the distinct social and economic implications of individual MPA sites, and networks of MPAs. There must be a process to formally peer review all socio-economic products. Most importantly, as a guidance document, this section must spell out how socio-economic information will be used in the actual decision making for MPA sites and networks. As you may be aware, the cultural and heritage resources and values of our commercial fishing heritage to our community are in addition to the direct economic value we receive. The direct economic value is further magnified by its importance in our larger tourism economy. This point cannot be overstated, and I would hope the MLPA process would take this fully into account and give this great weight.
3. The Draft Master Plan Framework must include a section that speaks to potential environmental problems that may well arise in the use of MPAs. One particular problem will be that of displaced fishing effort. If MPAs are placed too close to harbors so that they affect daily fishing activities from both the commercial small boat fleet and the recreational fleets, then that restriction would likely mean that the fishing activities would be moved to areas outside of the MPAs. This in turn would cause increased fishing pressure on those areas, which will quite likely lead to the over-exploitation of those areas. This would be a point of some irony for this MLPA process, and the Framework should provide some guidance to mitigate this possibility.

4. Although there is mention in the Draft Master Plan Framework of the City of Monterey's attempt to create an underwater park, there is no guidance as to how local jurisdictional issues will be resolved. The City of Monterey actually owns the tidelands out to a depth of 10 fathoms and that area is within our City limits. Should an MPA such as a State Marine Park be placed there, it would essentially control the types of human use associated with the park. We would suggest that in our case, or similar jurisdictions, that the local community should have a great deal to say about those decisions over the types of human uses which occur within its jurisdiction. There are many implications for the City that would involve planning for this type of zoning. Among these implications are impacts to ocean access points, parking, the need for showers, along with the potential that Monterey citizens might be excluded from historic uses of this area.

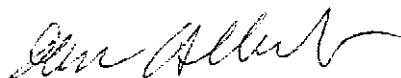
Should another type of MPA, such as a State Marine Reserve (SMR), be considered for an area within, or immediately next to, a local agency's jurisdiction, that local agency should also be consulted and its wishes should be given great weight. Any SMR contemplated would hopefully have defined and measurable ecosystem/habitat and biodiversity goals, and clear provable benefits. Other implications of SMR status for local government, such as also becoming a State listed Area of Special Biological Significance, should also be considered.

We hope that the MLPA process in the Master Plan Framework will give great deference to the wishes of local communities for any types of MPAs that are within, or next to, their jurisdictions. Generally, some guidance should be given about the wisdom of placing highly protected areas immediately next to highly urbanized areas.

5. We believe that either this Master Plan needs to be significantly shortened, or some kind of summary needs to be provided. It is lengthy, highly complicated, with numerous references and cross-references to various State laws. For this process and the Framework to be accepted by stakeholders, it must be clear and easy to understand.

Thank you for considering these comments.

Sincerely,



Dan Albert  
Mayor

c: City Council  
Parks & Recreation Commission  
Public Facilities Director  
Harbormaster